



**City Council Meeting**  
CIBOLO MUNICIPAL BUILDING  
200 S. MAIN  
November 25, 2014  
6:30 P.M.

**MINUTES**

1. Call to Order - Meeting was called to order by Mayor Jackson at 6:33 p.m.
2. Roll Call – Council Present: Mayor Jackson, Councilwoman Schultes, Councilman Castro, Councilman Doty, Councilman Russell, Councilman Hogue and Councilman Dunn; Council Absent: Councilman Garrett; Staff Present: City Manager Herrera, City Attorney Erkan, City Secretary Cimics, ED Director Luft, Finance Director Miranda, Police Chief Cox, Planning & Eng. Director Klein and City Planner Gonzalez.
3. Invocation – Invocation was given by Councilman Russell.
4. Pledge of Allegiance – All in attendance recited the Pledge of Allegiance.
5. Public Hearing

The Cibolo City Council will hold a Public Hearing to hear public testimony concerning the rezoning of approximately 177.22 acres located along and south of FM 78 between Country Lane and Meadowview Estates (Deer Meadow and Golden Meadow), currently zoned C-3 and FM 78 Overlay, to PUD (Planned Unit Development) to allow a mixed use development with retail, service, office, multi-family residential and single family residential uses.

Mayor Jackson opened the Public Hearing at 6:36 p.m. Ms Gonzales gave a brief overview of the rezoning. Mr. Melvin Hicks spoke against the rezoning. Mayor Jackson closed the Public Hearing at 6:39 p.m.

6. Ordinance
  - A. Approval/Disapproval of an ordinance amending the zoning classification of approximately 177.22 acres located along and south of FM 78 between Country Lane and Meadowview Estates, referenced as Bison Ridge from the Retail/Office (C-3) & FM 78 Overlay to the Planned Unit Development (PUD) District to allow a mixed use development comprised of thirty five (35) acres designated for uses permitted in the Retail/Office (C-3) District, fourteen (14.0) acres of uses permitted in Multi-Family (MF-2) District and one hundred and twenty eight acres designated for uses permitted in the High Density Residential (SF-3) per the development standards of the Cibolo Unified Development Code designated for the C-3, MF-2 and SF-3 Districts.

Councilman Doty made the motion to approve the ordinance amending the zoning classification of approximately 177.22 acres located along and south of FM 78 between Country Lane and Meadowview Estates, referenced as Bison Ridge from the Retail/Office (C-3) & FM 78 Overlay to the Planned Unit Development (PUD) District to allow a mixed use development comprised of thirty five (35) acres designated for uses permitted in the Retail/Office (C-3) District, fourteen (14.0) acres of uses permitted in Multi-Family

(MF-2) District and one hundred and twenty eight acres designated for uses permitted in the High Density Residential (SF-3) per the development standards of the Cibolo Unified Development Code designated for the C-3, MF-2 and SF-3 Districts. Motion was seconded by Councilman Castro. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

7. Citizens to be Heard

This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time, however, City Council may present any factual response to items brought up by citizens.

The Following citizens signed up to be heard:

Conner Ust and Megan Frisbey representing the Cibolo Creek FFA – invited council to event they will have on December 13 at 8:30 a.m. Michelle Parsons spoke in support of the Animal Shelter. Would like to see better advertising for the shelter and also encourage more people to volunteer to help. Paul Buell spoke on the alcohol ordinance. He felt that this ordinance should not have happened and it was just a try at getting Walmart to back away from Cibolo. On the issue of Districts for the City he felt there was a need for them. Vanessa Flowers spoke in support of the Animal Shelter. She did feel the shelter needed more exposure, more space and better signage. Joel Hicks spoke in favor of districts. He supports local businesses and supports the Spartans Football Team in fundraising to support their trip to the Nationals in Florida. Gene Somogyi spoke in favor of districts with good representation for each district. Melvin Hicks stated that he thought the Alcohol Ordinance should be rescinded.

8. Consent Agenda – Consent Items (General Items)

A. Approval of the minutes of the Regular City Council Meeting held on November 13, 2014.

Councilman Dunn made the motion to approve the consent agenda. Motion was seconded by Councilman Hogue. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

9. Presentation

A. Presentation on the Quarterly award for the period July-Sep 2014 to Leigh Ann Rogers.

City Manager Herrera presented Leigh Ann Rogers with the Quarterly Award for July-September 2014. Ms. Rogers thanked everyone for the honor.

B. Presentation of Certificates to the Spartans for representing Cibolo, Texas at the National Youth Football in Orlando, Florida.

Certificates were presented to the Spartans Football Teams and Cheer Leaders for a successful year.

10. Staff Updates/Discussion

- A. Police Department
- B. Drainage Department
- C. Parks Department
- D. Street Department
- E. Utility Department
- F. Administration

Chief Cox gave the report for both the Police Department and Animal Shelter.

## 11. Discussion/Action

- A. Discussion/Action on the removal, appointments and re-appointments to Planning and Zoning Commission, Parks Commission, Streets and Drainage Commission, Board of Adjustments Commission, Capital Improvement Program (CIP), Charter Review Committee and Cibolo Economic Development Corporation, and all other Committees, Commissions and Boards.

Councilman Dunn made the motion to appoint Ms. Pearson to the Animal Control Advisory Board, to re-appoint Mr. Gibson and place Councilman Russell as the Council Liaison to the Animal Control Advisory Board. Motion was seconded by Councilman Hogue. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- B. Discussion/Action on the Preliminary Plat of Foxbrook Subdivision Unit 1.

Councilman Doty made the motion to approve the Preliminary Plat of Foxbrook Subdivision Unit 1. Motion was seconded by Councilman Dunn. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- C. Discussion/Action on the Final Plat of Saratoga Subdivision Unit 9.

Councilman Dunn made the motion to approve the Final Plat of Saratoga Subdivision Unit 9. Motion was seconded by Councilman Hogue. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- D. Discussion/Action on the Final Plat of Saratoga Subdivision Unit 11.

Councilman Dunn made the motion to approve the Final Plat of Saratoga Subdivision Unit 11. Motion was seconded by Councilwoman Schultes. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- E. Discussion/Action of a Public Improvement Agreement between Nor-Tex Farm HQ, Ltd. and the City of Cibolo.

Councilman Doty made the motion to approve the Public Improvement Agreement between Nor-Tex Farm HQ, Ltd. and the City of Cibolo. Motion was seconded by Councilman Hogue. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- F. Discussion/Action of a Public Improvement Agreement between Continental Homes of Texas, L.P. and the City of Cibolo.

Councilman Doty made the motion to approve the Public Improvement Agreement between Continental Homes of Texas, L.P. and the City of Cibolo. Motion was seconded by Councilman Dunn. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- G. Discussion/Action to authorize the City Manager to enter into an Inter-Local Agreement with Cibolo Creek Municipal Authority to offset the additional costs associated with adding depth to the wet well of the new CCMA Dietz Creek Lift Station in the amount of Sixty Nine Thousand, One Hundred Forty Four Dollars and Fifty Cents (\$69,144.50)

Councilman Castro made the motion to authorize the City Manager to enter into an Inter-Local Agreement with Cibolo Creek Municipal Authority to offset the additional costs associated with adding depth to the wet well of the new CCMA Dietz Creek Lift Station in the amount of Sixty Nine Thousand, One Hundred Forty Four Dollars and Fifty Cents (\$69,144.50). Motion was seconded by Councilman Dunn. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- H. Discussion/Action on awarding the bid to D&D Contractors, in the amount Two Hundred, Eighty One Thousand, Three Hundred Six Thousand Dollars and Ninety Six Cents (\$281,306.96), to construct a parking area containing 24 parking places and reconstructing Town Creek Road, from Main Street eastward to the new parking area.

Councilwoman Schultes made the motion to approve awarding the bid to D&D Contractors, in the amount Two Hundred, Eighty One Thousand, Three Hundred Six Thousand Dollars and Ninety Six Cents (\$281,306.96), to construct a parking area containing 24 parking places and reconstructing Town Creek Road, from Main Street eastward to the new parking area. Motion was seconded by Councilman Dunn. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- I. Discussion/Action selecting Vickrey and Associates as Engineering Consultant to Design the City of Cibolo Baseball/Softball/Soccer Sports Park, and authorizing the City Manager to negotiate a Professional Services Contract with the selected Consultant.

This item was discussed after the executive session. Councilman Castro made the motion to authorize the City Manager to negotiate a Professional Services Contract with the selected Consultant. The City Manager will bring the contract back to the council for final approval. Motion was seconded by Councilman Doty. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0.

- J. Discussion/Action on the Gary Kelly Community Service Award for 2014.

Ms. Cimics the City Secretary explained the Gary Kelly Community Service Award and informed the council that this is the time for nominations. Council directed staff to place an item on the web site for citizens to be able to make nominations from 1 Dec to 30 Dec. With the help of previous winners and the council an individual winner will be announced at a Council Meeting in January.

- K. Discussion and direction to staff on the possibility of submitting to popular vote a repeal of the Initiative Petition submitted and passed by the voters in November 2013 for the Sale of Alcohol within 300 feet of any church, public school, or private school.

This was a discussion item only. Councilman Hogue explained that this item was only put on the agenda for discussion as he had several citizens ask about this item. Several citizens voiced their concerns about the alcohol initiative and felt it was not needed and prohibited some businesses from building in Cibolo.

- L. Discussion and direction to staff on the possibility of submitting to popular vote a repeal of the Initiative Petition submitted and passed by the voters in May 2011 establishing Districts for the City of Cibolo.

This was a discussion item only. Majority of council seem to like having districts and several members of the audience also stated they thought there was a need for keeping districts. It was noted that one of the districts has double its size since we first started districting. Council will continue to monitor and a possibility that the City will look at the demographer realigning the districts in the near future.

- M. Discussion and consider the bid results for the City owned land located at the Intersection of 107 South Main at Loop 539.

Council moved to item 12 with this item.

- N. Discussion/Action on the review and confirmation of all upcoming special meetings and workshops and scheduling the time, date, and place of additional special meetings or workshops.

After returning from executive session council went over the calendars for December and January. It was pointed out that the last council meeting in December has moved from Dec 23<sup>rd</sup> to December 30<sup>th</sup>

12. Executive Session

The City Council will meet in Executive Session as authorized by the Texas Gov't Code Sec. 551.072 Regarding Real Property and Sec. 551.071 Consultation with Attorney.

A. Discuss the sale of City property located at the Intersection of 107 South Main and Loop 539.

Council went into Executive Session at 9:35 p.m. to discuss the above item and item I on the agenda.

13. Open Session

Reconvene into Regular Session and take action/or give direction, if necessary, on items discussed in Executive Session

Council reconvened into regular session at 10:38 p.m. Councilman Castro made a motion to decline all bids received on the City property located at the Intersection of 107 South Main and Loop 539. Motion was seconded by Councilwoman Schultes. For: Council Members: Dunn, Hogue, Russell, Doty, Castro and Schultes; Against: None. Motion carried 6 to 0. Councilman Castro made the motion to direct the City to re-advertise the City property located at the Intersection of 107 South Main and Loop 539 at the minimum bid of \$107,000.00 with the agreement the property owner makes arrangement for a Drainage Easement retained at the request of the City Engineer and that the property is used for commercial purposes. Motion was seconded by Councilman Hogue. For: Council Members: Schultes, Castro, Doty, Russell, Hogue and Dunn; Against: None. Motion carried 6 to 0. Council moved back to item I on the agenda.

14. City Council request(s) regarding specific items to be scheduled for future agendas.

No additional items at this time

15. Adjournment:


Councilman Castro made the motion to adjourn the meeting at 10:46 p.m. Motion was seconded by Councilman Hogue. For: All; Against: None. Motion carried 6 to 0.

PASSED AND APPROVED THIS 9<sup>TH</sup> DAY OF DECEMBER 2014



Lisa M. Jackson  
Mayor

ATTEST:



Peggy Cimics, TRMC  
City Secretary

